

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST, *et al.*,  
individually and on behalf of a class of all others  
similarly situated,

Plaintiffs,

v.

CITY OF BUFFALO, N.Y., *et al.*,

Defendants.

No. 1:18-cv-00719-CCR

**DECLARATION OF TANIQUA SIMMONS**

Taniqua Simmons declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. I am Taniqua Simmons, a 49-year-old Black woman and mother of seven children. I am one of the Plaintiffs in this action.
2. I make this declaration in support of Plaintiffs Motion for Class Certification.
3. Between 2014 and July 2017, I drove through at least 40 BPD Checkpoints, mostly on the East Side of Buffalo and all in predominantly Black neighborhoods.
4. I could not avoid passing through Checkpoints as I went about my daily life. BPD frequently set up Checkpoints on one-way streets that I needed to use in order to leave or go home, visit friends and family, go to local businesses that I frequent, and go to work.
5. Some of my encounters at Checkpoints resulted in ticketing, but most did not. In 2012, I received a ticket for having an expired inspection sticker. In 2014, while I was driving, my husband got a ticket for not wearing a seatbelt while in the passenger seat. Other times, BPD officers let me go without a ticket after holding and questioning me for a prolonged period.

6. Because of my experiences going through Checkpoints frequently, I felt fear and anxiety whenever I approached a Checkpoint. I felt this way even when I knew I was not violating any laws because I experienced BPD officers acting arbitrarily. I feared being arrested and jailed for no reason. I felt stressed and humiliated whenever I went through a Checkpoint. The BPD officers treated me, as well as friends and family, like criminals.

7. I drive frequently in the City of Buffalo and plan to continue to do so.

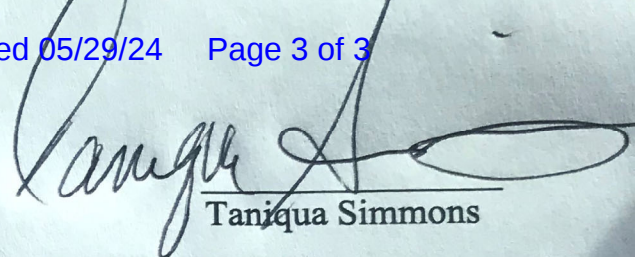
8. I understand that this case is a proposed class action.

9. I am willing to serve as a representative for the Traffic Enforcement Class on behalf of myself and other people whose facts and circumstances are similar to mine. I understand that the Traffic Enforcement Class is seeking a court order declaring the City of Buffalo's traffic enforcement practices unlawful and ordering the City to change its practices.

10. I understand that as a class representative, I have a responsibility to participate actively in the litigation. I am represented in this lawsuit by lawyers from the National Center for Law and Economic Justice, the Center for Constitutional Rights, the Western New York Law Center, and Covington & Burling LLP. Since joining this lawsuit, I have communicated regularly with my counsel, kept informed of the progress of the case, reviewed and approved the Complaint and Amended Complaint (primarily the paragraphs that describe my experiences), participated in written discovery, sat for a deposition, and talked with my counsel about what I think a fair resolution of this case would be.

11. I understand that as a class representative I have a responsibility to protect the interests of the entire class, not just my own interests, and to ensure that my counsel prosecutes the case vigorously and in the interest of all class members. I agree to fulfill my responsibilities as a class representative.

Dated: May 13, 2024



Taniqua Simmons